

Chapter 151

PARK REGULATIONS

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[HISTORY: Adopted by the Township Council of the Township of Bridgewater 8-18-80 as Section 1 of Ord. No. 80-26. Amendments noted where applicable.]

GENERAL REFERENCES

Littering and handbills — See Ch. 132.
Parks and playgrounds, curfew — See Ch. 150.
Community pool regulations — See Ch. 152.
Peddling and soliciting — See Ch. 154.

§ 151-1. Purpose.

It is the intent of this chapter to regulate the conduct of all persons on or using any park, playground or recreational facility, structure or area for the protection of persons and property and for the preservation of the public health, safety and welfare of the inhabitants of the Township of Bridgewater and to provide for the full and proper use, maintenance and preservation of all parks, playgrounds and recreational areas.

§ 151-2. Scope. [Amended 6-21-1982 by Ord. No. 82-24; 10-21-1991 by Ord. No. 91-27]

This chapter shall apply to all parks, playgrounds, recreational facilities, structures and areas which are under the jurisdiction and control of the Township of Bridgewater and the Somerset County Park Commission. For purposes of this chapter, the word "park" or "parks" shall include all playgrounds, recreational facilities, structures and areas under the jurisdiction and control of the Township of Bridgewater, as well as all parks under the jurisdiction of the Somerset County Park Commission.

§ 151-3. Rules and regulations. [Amended 6-1-1981 by Ord. No. 81-14; 6-21-1982 by Ord. No. 82-24]

A. General:

- (1) No person shall, unless specifically permitted in writing, by the Director of the Department of Recreation and Parks, or his/her authorized representative, cut, destroy, injure, remove or otherwise disturb any plant life or vegetation in any condition or remove any earth, gravel or sand from any park.
- (2) No person shall damage, deface, injure or destroy any building, structure or other public property in any park.
- (3) No person shall allow, cause or permit any open burning in any park, except that barbecues and campfires may be used in designated areas, and open burning may take place in lawfully permitted fireplaces, grills or stoves.
- (4) No person shall sell, peddle, solicit or distribute any merchandise or services in any park without first obtaining a registration certificate pursuant to the requirements of Chapter 154 of the Code of the Township of Bridgewater.
- (5) No person shall in any park erect, display or post any advertising, business or flashing sign or distribute any advertisements, circulars or handbills or make, produce or cause any noise to be made, including but not limited

to the use of any sound-making or amplifying device, or otherwise engage in any activity or conduct for the purpose of attracting attention to any merchandise exhibition, performance or show, except if written approval is first obtained from the Director of Recreation and Parks or his/her authorized representative.

- (6) No person shall remain or loiter in any park, from one-half (1/2) hour after sunset until sunrise or during times when parks are not formally open to the public.
- (7) No person shall throw or deposit litter anywhere in any park other than in public litter receptacles.
- (8) No person shall bathe or swim in any pool, lake or other public waters in any park, except at times and places designated by the Director of the Department of Recreation and Parks.
- (9) No person shall annoy, harass, hunt, pursue, capture, take or kill any wildlife in any park.
- (10) No person shall carry or possess any glass container or bottle at any time in any park.

B. Somerset County Park Commission. [Added 10-21-1991 by Ord. No. 91-27]

- (1) Definitions. As used in this Subsection B, the following terms shall have the meanings indicated:

ANIMALS — Includes cats, dogs, horses, any fowl or birds and any living creatures within jurisdiction of the park.

BRIDLEPATH — Any path maintained for equestrians.

COMMISSION — The Somerset County Park Commission or its authorized representative, as created by authority of Chapter 276, of the Laws of 1946, N.J.S.A. 40:37-95.1 to 40:37-95.25.

MUNICIPALITY — Respectively any city, town or township borough or village within which any portion of said park system is situated.

PARK RANGER — Any person employed by the Commission as a Somerset County Park Ranger.

PATH — Any footpath, walk or any path maintained for pedestrians.

PEDESTRIAN — A person afoot.

PERMIT — Any written license issued by or under the authority of the Commission, permitting a special event or activity on park facilities and grounds.

PERSON — Any person, corporation, company association, joint-stock association, firm or copartnership.

PRIVATE ROAD OR DRIVE — Every road or lane or driveway not open to the use of the public in general.

RIGHT-OF-WAY — The privilege of the immediate use of the roadway, drive or path.

SAFETY ZONE — Any space within a drive established for pedestrians.

SECRETARY-DIRECTOR — The Director of the Somerset County Park Commission.

SOMERSET COUNTY PARK OR PARKS, PARKWAYS AND RESERVATIONS — All the real property situated in Somerset County or adjacent counties acquired by or under the jurisdiction and care of the Somerset County Park Commission or which may be hereafter acquired by it or come under its jurisdiction.

STOPPING OR STANDING — When prohibited, any cessation or movement of a vehicle, occupied or not, except when necessary to avoid conflict with other traffic, including horses.

TRAFFIC — Pedestrians, ridden or herded animals, vehicles, either singly or together, while in the confines of the parks jurisdiction.

VEHICLE — Any conveyance, except baby carriages, including motor vehicles, bicycles, tricycles, sleds, sleighs,

pushcarts or vehicles propelled by other than muscular power; also any trailers.

- (2) Construction. In the interpretation of the Somerset County Park ordinances, their provisions shall be construed as follows:

- (a) Any term in the singular shall include the plural.
 - (b) Any terms in the masculine shall include the feminine and neuter.
 - (c) Any requirement or prohibitions of any act shall, respectively, extend to and include the causing and procuring, directly or indirectly, of such act.
 - (d) No provision hereof shall make unlawful any act necessarily performed by any officer or employee of the Commission, in line of duty or work as such, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Commission, or unless authorized by written permit issued by the Somerset County Park Commission.
 - (e) In the event of any ambiguity in the provisions of any municipal code of a particular municipal jurisdiction within Somerset County, which municipal code has been adopted by the Somerset County Park Commission by resolution, the terms of which municipal ordinance does not proscribe certain activities otherwise prohibited by these rules and regulations, then these rules and regulations shall control.
- (3) Territorial scope. All Somerset County Park Commission rules, regulations, ordinances and local municipal ordinances, if applicable, shall be effective within all parks, parkways and reservations under the administration of the Somerset County Park Commission and shall be deemed to regulate the use thereof by all persons.
- (4) Prohibited uses of the park.

- (a) Advertising. No person shall:
- [1] Post, paint, affix, distribute or handout any bill, billboard, placard, ticket, handbill, circular or advertisement or any of the following without written permission of the Commission.
 - [2] Display any flag, banner, transparency, target, sign, placard or any other matter for advertising purposes.
 - [3] Operate any musical instrument, soundtrack or drum for advertising purposes or for the purpose of attracting attention to any exhibition, show performance or other display.
- (b) Soliciting. No person shall solicit for any purpose.
- (c) Animals. No person shall cause or permit any animal owned by him, in his custody or under his control, to go or be at large.
- [1] Dogs shall be restrained by a leash not exceeding six (6) feet in length.
 - [2] No person shall ride or drive a horse unless it is well-broken and constantly held in such control that it may be easily or quickly turned and stopped.
 - [3] No horse shall be unbridled or left unattended in any unenclosed area without being securely fastened.
 - [4] No horse shall be driven or ridden in the parks except at such locations designated for this purpose by the Commission.
 - [5] No person shall hunt, molest, kill, wound, trap, chase, shoot or throw missiles at, remove or have in his possession any animal, reptile or bird or knowingly buy, receive, have in his possession, sell or give away any such animal, reptile, bird or eggs so taken.

- [6] No person shall fish in any of the rivers and canals bordering the parks unless he has a state license. No person shall kill, wound, discharge or throw missiles at any fish in such water or place therein any piscivorous fish, poison or any other substances injurious to fish.
- (d) Disorderly conduct. No person shall engage in any acts prohibited under N.J.S.A. 2C:1-1 et seq., including but not limited to disorderly persons offenses and petty disorderly persons offenses and, in addition, those prohibited by local municipal ordinance. Not by way of limitation but by way of example, the following are prohibited:
 - [1] Littering/dumping.
 - [2] Hunting.
 - [3] Open burning without a permit.
 - [4] Possession of glass containers.
 - [5] Possession of fireworks/explosive devices.
 - [6] Destruction/removal of plant/animal life.
 - [7] Remaining, loitering after hours.
 - [8] Possession/use of alcoholic beverage.
- (e) Firearms, weapons and tools - concealed weapons. According to N.J.S.A. 2C:1-1 et seq. No person shall bring into or have in his possession:
 - [1] A pistol or revolver or objects upon which loaded or blank cartridges may be used.
 - [2] Any tools, instruments, skeleton keys, picklocks, jimmies or other things known as "burglar tools," except when authorized by law.
 - [3] Any rifle, shotgun, air gun, spring gun, sling-shot, bow or other instrument or weapon in which the propelling force is a spring or air, except for the lawful uses of such weapons at

places and times prescribed by special permission of the Commission.

- (f) Fires. No person shall kindle, build, maintain or use a fire, except in places provided for such purposes or where a permit has been issued.
 - [1] All fires shall be continuously under the care and direction of a competent person from the time it is kindled until it is extinguished.
 - [2] No fire shall be built within ten (10) feet of any tree or building or beneath the branches of any tree or in any underbrush.
 - [3] No cigar, cigarette or lighted match shall be discarded carelessly or in a manner which may start a fire.
- (g) Closing hours. All parks will close one-half (1/2) hour after sunset, as defined by the National Oceanographic and Atmospheric Administration (NOAA) for the Somerville area, except where and when specific closing hours are designated and posted.
- (h) Opening hours. All park areas will open one-half (1/2) hour after sunrise, as defined by the NOAA for the Somerville area, unless otherwise specified or designated as posted.
- (i) Vending. No person shall sell or offer for sale any object or merchandise or any other thing within the parks except by special permit of the Commission.
- (j) Minors. No parent or guardian or custodian of any minor shall permit or allow him to do any act prohibited by any Somerset County Park ordinance.
- (k) Motor vehicle operation. No person shall drive or operate any vehicle except on roadways or parking areas provided, unless permitted by signs or directed by Park Rangers or other designated employees.
- (l) Motor vehicle parking. No person shall park or cause to be parked any vehicle within the parks, except in

areas established for parking and designated by signs or directed by Park Rangers or other designated employees. During periods of darkness said vehicles shall have parking lights in operation.

(5) Regulated uses.

- (a) The following activities are permitted only at times and in areas so designated for that purpose by the Commission and are otherwise prohibited within the parks:

- [1] Swimming, bathing and wading.
- [2] Ice skating, sledding and skiing.
- [3] Model airplane, helicopter and rocket flying.
- [4] Boating on ponds.
- [5] Horseback riding.
- [6] Golfing.
- [7] Bicycling and skateboarding.

- (b) All persons using the facilities of the Commission must obey the posted rules and regulations established for the proper, effective and safe utilization of said facility. Certain park areas have special rules and regulations. Persons using these facilities must obey posted rules and regulations for the protection of visitors and the resource.

(6) Protection of property.

- (a) No person shall throw or deposit litter or waste substance in any fountain, drain, pond, lake, stream or any other body of water in any park.
- (b) No person shall injure, cut, remove from the ground or otherwise disturb any plant, tree or shrub in any park, nor shall any person:
- [1] Pile debris of any kind against the same.
 - [2] Attach a rope, cable or other contrivance thereto.

- [3] Set fire or assist in setting fire to the same.
- [4] Ride horses or walk animals over the same.
- (c) No person shall damage, deface or tamper with any drive or walkway nor make any excavation of any kind in any park.
- (d) No person shall damage, deface, remove or destroy any structure, building, sign, utility or any other property or equipment, owned by or under the control or jurisdiction of the Park Commission.
- (e) No person shall throw or deposit litter in any park except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park. Where public receptacles are not provided, all such litter shall be carried away from the park by the person(s) responsible for its presence and properly disposed of elsewhere.
- (7) Permits. A permit authorizing a person or organization to use a facility of the Commission may be granted upon written application to the Commission and written approval. All conditions of the permit approval must be adhered to, and any violation of the terms and conditions or rules and regulations or falsifications shall constitute grounds for its revocation by the Commission or its authorized representative.
- (8) Validity. The invalidity of any of the aforesaid rules and regulations shall not affect the validity and enforceability of the remaining rules and regulations.

§ 151-4. Enforcement. [Amended 6-1-81 by Ord. No. 81-14; 6-21-82 by Ord. No. 82-24]

- A.** This chapter shall be published in its entirety in the Department of Recreation and Parks Program Brochure, and shall be published as a legal notice in September of each year in the Courier News or other official township

newspaper. In addition, the Director of the Department of Recreation and Parks shall cause to be posted in all parks copies of relevant portions of this chapter and/or signs setting forth the specific conduct which is prohibited in this chapter.

- B. Custodians, supervisors and assistants, while on duty at the parks, shall preserve order and enforce the rules and regulations of the Department of Recreation and Parks.
- C. Employees of the Department of Recreation and Parks shall be responsible for bringing all violations of this chapter and any other township ordinances to the attention of the Police Department of the Township of Bridgewater, which may take appropriate action.

§ 151-5. Violations and penalties.

Any person who shall violate or fail to comply with any provision of this chapter, upon conviction thereof, shall be subject to a fine of not more than five hundred dollars (\$500.) or imprisonment in the county jail for a term not to exceed ninety (90) days, or both.

§ 151-6. Effect on other ordinances.

The powers conferred and the duties imposed by this chapter shall be in addition and supplemental to the powers conferred and the duties imposed by any other municipal ordinance. Nothing in this chapter shall be construed as repealing any provision of any other municipal ordinance or any portion thereof. In the event that any provision of this chapter shall vary from a similar regulation or ordinance, the more restrictive provisions shall control.